

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
Velma L Bunch)	Case No. 18-13600-BFK
)	Chapter 7
Debtor		

NOTICE OF MOTION AND HEARING

ACAR Leasing LTD d/b/a GM Financial Leasing has filed papers with the court to move the court for relief from the automatic stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before fourteen (14) days from the date of service of this motion, you or your attorney must:

- ☐ File with the court, at the address shown below, a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). **Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.** If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must **also** mail a copy to the persons listed below.

- ☐ Attend the hearing scheduled to be held on December 12, 2018 at 9:30 AM in United States Bankruptcy Court, 200 South Washington Street, 2nd Floor, Courtroom I, Alexandria, Virginia 22314. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

Sara A. John, VSB #48425
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452
757-498-9600
Counsel for Plaintiff

- A copy of any written response must be mailed to the following persons:

Clerk of Court
United States Bankruptcy Court
200 S. Washington Street
Alexandria, Virginia 22314

Sara A. John
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: October 31, 2018

Signature, name, address and telephone number
of person giving notice:

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452
757-498-9600
Virginia State Bar Number 48425
Counsel for ACAR Leasing LTD d/b/a GM Financial
Leasing

Certificate of Service

I hereby certify that on October 31, 2018, I mailed or electronically served a true copy of this Notice of Motion to: Velma L Bunch, 18 Bergamot Dr., Stafford, VA 22556; H. Jason Gold, Trustee, 101 Constitution Avenue, N.W., Suite 900, Washington, DC 20001; and Robert R. Weed, Counsel to Debtor, 1376 Old Bridge Rd, Suite 101-4, Woodbridge, VA 22192.

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:

Velma L Bunch

Case No. 18-13600-BFK

Debtor.

Chapter 7

ACAR Leasing LTD d/b/a GM Financial Leasing,

Plaintiff,

v.

Velma L Bunch

and

H. Jason Gold, Trustee,

Defendants.

MOTION FOR RELIEF FROM STAY

NOW COMES ACAR Leasing LTD d/b/a GM Financial Leasing, by counsel, and states as follows as its Motion for Relief from Stay against Debtor:

1. This Court has jurisdiction over the matters herein alleged pursuant to 28 U.S.C. § 1334. This matter constitutes a core proceeding within the meaning of 28 U.S.C. § 157 and is a contested matter under Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure.
2. That on October 24, 2018, Debtor filed a petition for relief under 11 U.S.C. Chapter 7.
3. Debtor herein has a leasehold interest in the following described motor vehicle: a 2017 GMC Acadia, VIN 1GKKNXLS7HZ256860 (the “vehicle”).

Sara A. John, VSB #48425
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605 Lynnhaven Parkway
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757-498-9600
Counsel for Plaintiff

4. Plaintiff is the titled owner of the vehicle.
5. Debtor does not intend to assume the lease. The payoff on the lease is approximately \$9,819.88.
6. That there is no equity in the vehicle since Debtor is merely leasing the vehicle from Plaintiff.
7. That Plaintiff lacks adequate protection.
8. For the above and foregoing reasons, Plaintiff asserts that cause exists sufficient to waive the requirement of Bankruptcy Rule 4001(a)(3), therefore allowing the Order granting the relief sought to be effective upon its entry.

WHEREFORE, Plaintiff moves the Court for relief from the automatic stay as to the above-described property pursuant to 11 U.S.C. § 362 so that it may proceed in accordance with state law.

ACAR Leasing LTD d/b/a GM Financial Leasing

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

Certificate of Service

I hereby certify that on October 31, 2018, I mailed or electronically served a true copy of this Motion for Relief from Stay to: Velma L Bunch, 18 Bergamot Dr., Stafford, VA 22556; H. Jason Gold, Trustee, 101 Constitution Avenue, N.W., Suite 900, Washington, DC 20001; and Robert R. Weed, Counsel to Debtor, 1376 Old Bridge Rd, Suite 101-4, Woodbridge, VA 22192.

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.